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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,327	07/14/2003	Robert Victor Holland	72191	6666

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EXAMINER
SMITH, MARCUS

ART UNIT	PAPER NUMBER
2419	

NOTIFICATION DATE	DELIVERY MODE
12/03/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/619,327	HOLLAND ET AL.	
	Examiner	Art Unit	
	MARCUS R. SMITH	2419	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 October 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5,6,8 and 9* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3, 5, 6, 8, and 9* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/24/08 has been entered.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-3, 5-6, 8-9 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. In claims 1, 5, and 8, the applicant has amended the claims to add a limitation to overcome prior art. The added limitation states the other nodes are not broadcasting other signals or messages for location or routing. However the applicant's original specification does not teach explicitly or implicitly that added limitation.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-3, 5-6, 8, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasamoto (US 6,647,264) in view of Moriyama (US 6,741,696) and Cai et al. (US 6,721,318).

With regard to claim 1, Sasamoto teaches:

For use with a limited access multinode cooperative telecommunication network (see figure 1), wherein a respective node (gateway, and mobile routers) comprises operative to service multiple telecommunication devices coupled to said respective node (column 3, lines 44-55), each communication device having an extension that is used in the course of routing a call from a calling communication device to a called communication device (column 4, lines 1-16: The examiner views the address of the mobile node as the extension), a method of routing a call from a calling communication device at a first node to a called device at another node comprising the steps of (figures 5a (describes the steps) and 7c (shows the process through the network)):

(a) transmitting a query message from said first node (gateway, 114) to all other nodes (routers, 111,112, and 113) of said network, said query message being operative to determine whether a respective node receiving said query message is coupled to

said called device (mobile, 130) (step s504) (column 5, lines 15-22 and column 6, lines 55-57);

(b) at a second node (router 112) to which said called device is coupled, transmitting a reply message to said first node indicating that said second node is coupled to said called device (steps 505) (column 5, lines 22-26 and column 6, lines 57-61), such that other nodes not having the called device coupled thereto are not transmitting a reply message; and

(c) in response to receipt of said reply message by said first node, routing said call from said first node to said second node, so that said second node may complete the connection of said call to said called device (step 506) (column 5, lines 28-35 and column 6, lines 63-66) without requiring a copy of dialing plans for all other nodes.

Sasamoto discloses all of the subject matter as described above except for wherein each node comprises a private branch exchange and each having a separate dialing plan and operative to service multiple telecommunication devices coupled to said respective node through the respective separate dialing plan for a node, each communication device having an extension within a respective dialing plan for a node that is used in the course of routing a call from a calling communication device to a called communication device.

Moriyama teaches PBX that can communicate with other PBXs to exchange information (column 5, lines 50-67 to column 6, lines 1-10, see figure 4) for controlling communication lines in order to a more efficient call distributing system (column 2, lines 20-26). Each PBX has a separated database that stores the extension line group

(dialing plan)(column 4, lines 10-30). This PBX each have separated databases for extension group and exchange control information from each PBX (column 5, lines 8-26) in order to reduce traffic flow for each PBX (column 6, lines 20-30)

Sasamoto is another form of call distributing system, the gateways and routers exchange information about the location of mobile device in the system. Each router or gateway has a routing table for routing the call to its mobile device. Therefore it would have been obvious to one having ordinary skill in the art at the time invention was made have each node be a private branch exchange and each having a separate dialing plan and operative to service multiple telecommunication devices coupled to said respective node through the respective separate dialing plan for a node as taught by Moriyama in the call distributing system of Sasamoto in order to have a more efficient call distributing system and reduce traffic load on each node.

The combination of Sasamoto, and Moriyama will have the routing table stores also the extension for the mobile node as well as its IP address. The mobile node's extension can be its telephone number. In Sasamoto, the gateway only updates its routing table from the information on the replied router connected to called device. Thus the Sasamoto does not require a copy of dialing plans *for all* other nodes.

The combination of Sasamoto, and Moriyama discloses all of the subject matter as described above except for not broadcasting other signals or messages for location or routing.

However, Cai teaches a system of routers that send queries and replies about IP address of the hosts (column 3, lines 5-25). In figure 2B, it specifically teaches how a

certain MOSPF routers only check the database table to see if they have the IP address. If it does not have the IP address (multicast membership), it will discard the message (column 3, lines 25-37) in order to reduce network traffic (column 1, lines 54-57). Thus, it would have been obvious to one having ordinary skill in the art at the time invention was made to just ignore the query message if the address is not in the table of the router as taught by Cai in the system of Sasamoto and Moriyama in order to reduce network traffic, by not sending the broadcast signals that is taught Sasamoto. Therefore the combination of Sasamoto, Moriyama, and Cai will cut out the steps 604 and 605 of Sasamoto figure 6 so that the network will use less bandwidth and reduce network traffic before the start of data communications of the PBXs/routers.

with regard to claim 5, Sasamoto teaches (see claim 1, except for):

(a) in response to the placement of a call from a communication device coupled to a first node (gateway114) (step 501), causing said first node to examine an associated call plan (routing table) therefor to determine whether said first node is coupled to said called device (step 502)(column 5, lines 15-22 and column 6, lines 55-57):

With regard to claim 8, Sasamoto teaches (See claim 1, except for):

(a) storing at each node a call plan that contains only communication device extensions that are coupled to said each node (step 404, column 4, lines 59-64: The combination Sasamoto, and Moriyama will have the routing table stores also the extension for the mobile node as well as its IP address);

(b) in response to the placement of a call from a communication device coupled to a first node, causing said first node to examine an associated call plan only therefor, so as to determine whether said first node is coupled to said called device (steps 501-502)(column 5, lines 15-22 and column 6, lines 55-57);

with regard to claim 2, Sasamoto teaches (figure 5a):

The method according to claim 1, wherein step (a) includes the precursor step of causing said first node to examine an associated call plan therefor to determine whether said first node is coupled to said called device (step 502)(column 5, lines 15-22 and column 6, lines 55-57).

With regard to claims 3, 6, and 9, Sasamoto teaches (figure 7c):

The method according to claim 1, wherein step (b) comprises at one or more third nodes to which said called device is not coupled, ignoring said query message, so that no reply message is transmitted therefrom (column 6, lines 58-62).

Response to Arguments

6. Applicant's arguments with respect to claims 1-3, 5-6, 8-9 have been considered but are moot in view of the new grounds of rejection (see claim 1).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARCUS R. SMITH whose telephone number is (571)270-1096. The examiner can normally be reached on Mon-Thurs: 7:30 am - 5:00 p.m. and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on 571 272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MRS 11/21/08

/Wing F. Chan/
Supervisory Patent Examiner, Art Unit 2419
11/25/08